

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

**UNITED STATES OF AMERICA,
Plaintiff,**

v.

Case No. 05-CR-73

**MICHAEL RILEY,
Defendant.**

MOTION TO MODIFY CONDITIONS OF BOND

NOTICE IS HEREBY GIVEN that the defendant, Michael Riley (Riley), by his attorneys, KOHLER & HART, LLP., represented by Michael F. Hart and Brian Kinstler, respectfully moves the Court to modify the defendant's conditions of bond to allow for Riley to post \$38,000 in cash in lieu of the \$38,000 mortgage on the property located at 629 West Hadley Street in Milwaukee, Wisconsin.

IN SUPPORT of this motion, Riley provides the following:

1. On March 8, 2005, a grand jury in the Eastern District of Wisconsin issued an indictment against Riley, alleging violations of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C) and 18 U.S.C. § 1956(a)(1)(B)(i).

2. On May 5, 2005, Magistrate Judge Callahan ordered that the defendant be released from custody pending trial, upon the posting of a \$102,000.00 property bond, secured by various different properties owned by Riley's family members, and with certain conditions of release.

3. One of the properties posted on Riley's behalf, located at 629 West Hadley Street in Milwaukee, Wisconsin, was used to secure a \$38,000 mortgage note given to the Clerk of Courts. This property is owned by the defendant's mother, Shirley Riley (Ms. Riley). Ms. Riley would like to sell the property, and has a prospective purchaser. Upon sale of the property, Ms. Riley will provide \$38,000 to the Clerk of Courts in the form of a cashier's check to substitute for the \$38,000 mortgage.

4. Riley's counsel has spoken with Assistant United States Attorney Greg Haanstad, who has indicated that the government has no objection to cash being substituted for the mortgage on the property at 629 West Hadley Street in Milwaukee, Wisconsin, as long as the total amount of cash and property posted equals \$102,000.

WHEREFORE, Riley respectfully requests that the Court modify the order setting conditions of release to allow for Riley to post \$38,000 in cash in lieu of the \$38,000 mortgage on the property located at 629 West Hadley Street in Milwaukee, Wisconsin.

Dated at Milwaukee, Wisconsin, this 11th day of January, 2006.

Respectfully submitted,

By: /s/ Brian Kinstler
Michael F. Hart
Brian Kinstler
KOHLER & HART, LLP
735 North Water Street, Suite 1212
Milwaukee, WI 53202
Telephone: (414) 271-9595
Telefax: (414) 271-3701
bkinstler@kohlerandhart.com